

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            ) No. 4:25 MJ 2061 (JSD)  
                                  )  
JOSE HERNANDEZ-ESPITA,     )  
a/k/a Jose Hernandez-Espitia,     )  
                                  )  
Defendant.                    )

**MOTION FOR PRE-TRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Paul Rebar, Special Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with Unlawful Re-entry into the United States by a Removed Alien, in violation of Title 8, United States Code, Section 1326.
2. The facts are as follows: During a recent narcotics investigation in mid-February of 2025, a FBI special agent witnessed the defendant leaving a residence in St. Louis City. The defendant should not be in the United States and is here unlawfully after being removed by official immigration officials three times before.
3. Pursuant to Title 18, United States Code, Section 3142(g),

(a) the weight of the evidence against defendant - the defendant is currently in the Eastern District of Missouri after having been removed from this country three times before. His presence in our country is unlawful;

(b) defendant's history and characteristics - the defendant is a citizen of Mexico and has no legal status in this country; and

These factors warrant defendant's detention pending trial. Further since the Defendant is not a U.S. citizen and is not lawfully in the U.S., he is serious flight risk.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING  
UNITED STATES ATTORNEY

*/s/ Paul Rebar*  
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